

IN THE UNITED STATES DISTRICT COURT
OR THE EASTERN DISTRICT OF CALIFORNIA

BENJAMIN ADAMS,

Plaintiff,

No. CIV S-04-2474 MCE GGH P

VS.

TERESA SCHWARTZ, et al.,

Defendants.

ORDER

Plaintiff has filed a document entitled “discovery request for production of records.” Plaintiff is informed that court permission is not necessary for discovery requests and that neither discovery requests served on an opposing party nor that party's responses should be filed until such time as a party becomes dissatisfied with a response and seeks relief from the court pursuant to the Federal Rules of Civil Procedure. Discovery requests between the parties shall not be filed with the court unless, and until, they are at issue.¹

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¹ One of plaintiff's requests, request no. 3, is inappropriately contained in his production requests directed to the defendant. If plaintiff seeks an order from this court, plaintiff must make a request by formal motion. See Fed. R. Civ. P. 7(b). Any motion filed must comply with the Local Rules of this court.

1 Accordingly, IT IS HEREBY ORDERED that plaintiff's May 8, 2006 "discovery
2 request for production of records," will be placed in the court file and disregarded. Plaintiff is
3 cautioned that further filing of discovery requests or responses, except as required by rule of
4 court, may result in an order of sanctions, including, but not limited to, a recommendation that
5 this action be dismissed.

6 DATED: 6/23/06

/s/ Gregory G. Hollows

7 GREGORY G. HOLLOWS
8 UNITED STATES MAGISTRATE JUDGE

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